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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FEDERAL TRADE COMMISSION, *et al.*,

Plaintiffs,

v.

AMAZON.COM, INC., a corporation,

Defendant.

CASE NO.: 2:23-cv-01495-JHC

STIPULATION AND
[PROPOSED] ORDER
REGARDING AMAZON'S
PRIVILEGE RE-REVIEW

NOTE ON MOTION CALENDAR:
January 23, 2025

The parties have met and conferred regarding Amazon's re-review of its privilege claims in this case and Plaintiffs' pre-Complaint investigation, and by and through their attorneys of record, hereby stipulate and agree to the following:

1. To the extent not already re-reviewed by Amazon in connection with its privilege re-review in the Private Plaintiff cases¹, Amazon shall re-review all of its privilege claims asserted or maintained in this litigation, including with respect to all documents that: (1) were withheld or redacted by Amazon during Plaintiffs' pre-Complaint investigation that exist in the files of one or more of the Parties' agreed-upon litigation custodians and hit on one or more of the parties'

¹ *De Coster v. Amazon.com, Inc.*, No. 2:21-cv-693-JHC (W.D. Wash.); *Frame-Wilson v. Amazon.com, Inc.*, No. 2:20-cv-424-JHC (W.D. Wash.); *Brown v. Amazon.com, Inc.*, No. 2:22-cv-965-JHC (W.D. Wash.).

1 agreed-upon litigation search terms; (2) were part of targeted document collections by Amazon
2 during the aforementioned investigation; or (3) were withheld or redacted for the first time in this
3 litigation.

4 2. Amazon shall substantially complete its re-review of its privilege claims directed
5 by this Stipulation and Order no later than March 24, 2025, and produce by that date: (1) a revised
6 privilege log; and (2) all documents as to which Amazon has downgraded or otherwise narrowed
7 its privilege claims as a result of the re-review.

8 3. Plaintiffs have identified certain custodians as priorities for Amazon’s privilege
9 re-review. Amazon shall substantially complete its re-review of documents that were withheld or
10 redacted by Amazon during Plaintiffs’ pre-Complaint investigation that exist in the files of those
11 priority custodians (the “Priority Documents”) no later than March 7, 2025, and produce by that
12 date: (1) a revised privilege log covering the Priority Documents; and (2) all of the Priority
13 Documents as to which Amazon has downgraded or otherwise narrowed its privilege claims as a
14 result of the re-review.

15 4. Amazon shall produce to Plaintiffs the privilege log(s) that Amazon produces in
16 connection with its privilege re-review in the Private Plaintiff cases contemporaneously with the
17 production of that privilege log(s) to the Private Plaintiffs, and no later than January 31, 2025.

Stipulated to and respectfully submitted this 23rd day of January, 2025, by:

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STIPULATION AND [PROPOSED] ORDER REGARDING
AMAZON'S PRIVILEGE RE-REVIEW - 8
CASE NO. 2:23-cv-01495-JHC

FEDERAL TRADE COMMISSION
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1 [PROPOSED] ORDER
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IT IS SO ORDERED.

DATED this _____ day of _____, 2025.

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JOHN H. CHUN
UNITED STATES DISTRICT JUDGE

Presented By:

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